

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LEGACY RECORD, INC.,

Plaintiff,

v.

LOUIS VINCENT MBULLO,
TUNESCAPE LIMITED, ZIIKI
HOLDINGS PVT. LTD., and
DOES 1-50,

Defendants.

8:23CV519

**MEMORANDUM
AND ORDER**

This matter is before the Court on the magistrate judge's¹ Findings and Recommendation (Filing No. 43) recommending the Court dismiss plaintiff Legacy Record, Inc.'s claims (Filing No. 1) against defendants Tunescape Limited, Ziiki Holdings Pvt. Ltd., and John Does 1-50 for want of prosecution. *See* 28 U.S.C. § 636(b)(1)(B) (permitting a district judge to "designate a magistrate judge to" submit "proposed findings of fact and recommendations for the disposition of any" dispositive matter); *Bergstrom v. Frascone*, 744 F.3d 571, 574 (8th Cir. 2014) ("A district court may dismiss a cause of action with prejudice 'for failure of a plaintiff to prosecute or comply with [the Federal Rules] or any court order.'" (quoting Fed. R. Civ. P. 41(b))). That Findings and Recommendation was issued on June 27, 2025, meaning any objections were due by July 11. *See* 28 U.S.C. § 636(b)(1) (giving a party fourteen days to "file written objections to such proposed findings and recommendations"); *accord* Fed. R. Civ. P. 72(b)(2); NECivR 72.2. No timely objections were filed.

Under § 636(b)(1), the Court must "make a de novo determination of" any "specified proposed findings or recommendations to which objection is made." *See also*

¹The Honorable Jacqueline M. DeLuca, United States Magistrate Judge for the District of Nebraska.

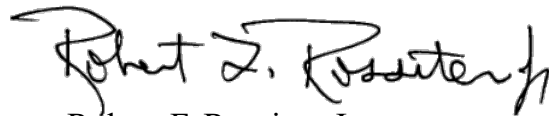
Fed. R. Civ. P. 72(b); NECivR 72.2. Absent objection, however, further review is unnecessary. *See Peretz v. United States*, 501 U.S. 923, 939 (1991); *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609, 619-20 (8th Cir. 2009) (“[T]he failure to file objections eliminates not only the need for de novo review, but *any* review by the district court.”). Given that,

IT IS ORDERED:

1. The magistrate judge’s Findings and Recommendation (Filing No. 43) is accepted. Any objections are deemed waived.
2. Plaintiff Legacy Record, Inc.’s claims (Filing No. 1) against defendants Tunescape Limited, Ziiki Holdings Pvt. Ltd., and Does 1-50 are dismissed for want of prosecution.
3. A separate judgment will issue.

Dated this 21st day of July 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge